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CONSUMER AFFAIRS AND
BUSINESS REGULATION

DIANE M. SYMONDS
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Board Meeting Minutes – May 6, 2019 9:00 a.m.
One Ashburton Place, 21st Floor, Conference Room 3, Boston

Board Members Present:

- Walter White (WW)
- Jane Hardin (JH)
- Andrew Bedar (AB)
- Jeffrey Dougan (JD)
- Ray Glazier (RG)
- Dawn Guarriello (DG)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- William Joyce, Compliance Officer, (WJ)
- John High, Assistant Legal Counsel and Director of External Affairs, DPL (JH)
- Karen Brann, Program Coordinator (KB)

WW, DJ, HR, JH, DG, PM, AB, JD

The Chair opened the meeting.

Incoming Case Review:

1. Everleigh Cape Cod, 265 Communication Way, Barnstable, V19-103

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking two variances. 45.10. Draws on refrigerator, asking to leave as is.

Upon request and give a time frame of 14 days.

JD motioned to grant on the condition that a compliant refrigerator be provided upon request and there is information is the tenants lease regarding the refrigerator and to be provided within 14 days of request. JH seconded, passed unanimously.

41.2.2

Corner door signs 48” instead of 60”.

JD motioned to grant as proposed. DG seconded, passed unanimously.

2. Balfour River Walk Park, County St., Ten Mile River Pedestrian Path, Attleboro, V19-104
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Water path project. Curb cut 4 feet at 15% slope. Proposed installation of handrail.

JH motioned to grant on the condition there is information on the website stating indicating where the 15% slope is, also signage showing accessible route.

JD seconded, passed unanimously.

3. St. John's Episcopal Church, 48 Elm Street, Northampton, V19-105

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Asking to maintain the existing historic entrance. There is an accessible entrance. Supported by COD and ILC, Historic Commission.

AB motioned to grant with signage and compliant handrails on ramp.

JD seconded, passed unanimously.

4. Herc Equipment Rentals, 257 Boston Road, Billerica, V19-106

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Existing retail, full compliance, no access to raised retail area.

~~*JH motioned to grant on the condition of training for staff to help customers view equipment, visuals on items that are being rented and for this use only. JD seconded*~~

~~*JH withdrew motion*~~

Customer lounge can it be relocated to accessible level? How often is the lounge used?
Accessible seating area.

JH motioned to continue for information as to the use of the customer lounge identified on the plans, and if services are offered there that are not on the accessible level and if the lounge can be relocated to the accessible level. AB seconded, passed unanimously.

5. Tannery Apartments, 15, 16, 18 Crowninshield, 50 Warren, Peabody, V19-107

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

The petitioner is seeking relief to 9.4.2 distribution. Four buildings. No 2a in building V due to asbestos in joints. Proposing to meet distribution in buildings I and N.

In building I short one, 2 unit bedroom.

JD motioned for further information, cost of the asbestos removal, information on how to get into building M, and where the second two bedroom unit is as it should be in building I. HR seconded, passed unanimously.

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

6. Office Building, 5 Burlington Woods Drive, Burlington, V19-108
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
New staircase with open riser.

JD motioned to deny. JH seconded, passed unanimously.

7. One Story Retail, 1608 Commonwealth Avenue, Boston, V19-109
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Renovating existing retail space to a bank. Sidewalk slope, proposing auto door opener and four ft. wide landing, and intercom system.

HR motioned to grant as proposed. AB seconded, JD abstained, motion passed.

8. Roosevelt Towers Apartments, 14 Roosevelt Towers, Cambridge, V19-110
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

JD motioned to packet, JH seconded, passed unanimously

9. Three Family Building, 71-73 Ellington Street, Dorchester, V19-111
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
New construction. Seeking three variances. Opposed by BCIL.
Group 1 unit

Seeking relief to install lift for access to the ground floor, the unit is a duplex asking for lift inside the unit.

Lift is not a straight on straight off.

RG Arrived

HR motioned to schedule a hearing. JD, seconded, DG and RG abstained. Motioned passed.

10. Alta Xmbly, 290 Revolution Drive, Somerville, V19-085
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Previously motioned to continue. Distribution of units.

JD motioned to grant. HR seconded, passed unanimously

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Administrative Discussion:

11. Taunton State Hospital Chambers, 60 Hodges Avenue, Taunton, V16-120

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeks additional time.

AB motioned to grant. JD seconded, passed unanimously.

12. Apartment Building, 141 Sea Street, Quincy, C17-060

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Modernization contract. The elevator will be out for three months.

JD motioned to accept the contract on the condition a variance is pursued for the procedures of the modernization. AB seconded, passed d unanimously.

13. Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

JD motioned to packet. PM seconded, passed unanimously.

14. 10 Story Building, 121-127 Portland Street, Boston V19-004

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously denied request.

~~*RG motioned to grant. JD seconded, passed unanimously.*~~

RG withdrew motion

*DJ motioned to continue for more information
on second means of egress, and possibility of a narrower ramp 36”.*

HR seconded, passed unanimously.

Executive Director Position Update

Attorney High informed the Board that the response to the letter from the advocacy community is still being reviewed. The Chair discussed that he met with Secretary Kennealy regarding the Executive Director hiring process and that the process needs to be moved forward.

JH motioned to nominate Walter White as a member of the Executive Director hiring committee.

AB seconded, motion passed unanimously.

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Board Member Mendez expressed her concerns regarding when the board would receive a response to the letter the advocacy community sent to DPL.

HR motioned to nominate Dawn Guarriello as a member of the Executive Director hiring committee. DJ seconded, DG abstained, motion passed.

Board Member Glazier expressed his concerns that there is no one who is physically disabled on the committee.

The Board discussed how to honor Director Hopkins and asked that the topic be continued to be discussed. Ms. Mendez asked for more information on the lift plans for 1000 Washington Street.

Questions for Executive Director Position

Mr. Rhodes passed out his list of interview questions and stated that each candidate would be asked the same questions.

Hearings

11:00 a.m. - North Adams Safety Building, 40 American Legion Drive, North Adams, V19-036 -
Variance Hearing

Exhibit #1 - Board Hearing Package AAB 1-107

Exhibit #2 – Proposed Plans

Thomas Bernard, City of North Adams, Mayor (TB)

Jason Wood, City of North Adams, Police Chief (JW)

Stephen Meranti, North Adams Fire Dept. (SM)

Michael Canales, North Adams, City Administrator (MC)

William Meranti, Building Inspector (WM)

Gregg Corbo, Attorney (GC)

The parties were sworn in by the Chair

(All Board)

GC, Atty – The facility was originally built in 1955 and has not been worked on since. Doesn't meet needs as it is, in process of planning a new facility, it will take time. The roof is failing and dangerous. There are buckets of water spilling into the building and there is mold. We can't design and build a new facility overnight. Going through excessive costs and taking away space for the operations. Seeking variance to allow a fix for the room, comes closely to the value of the building. Has to be done to get to a point so we can design a new accessible building. Come up with a couple plans to have functions transferred to be accommodating. Limited public use. Prisoners are brought to another facility. The work can't be done without major structural changes. If an elevator were to be built the elevator would have to have 6 stops because of changes of level and be in the middle of the building. Not enough room around the exterior.

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Also think that the cost will far exceed the value of the building and leave us with a facility that is out dated and limited access that can be provided through alternative channels.

WW - We do grant time variance for certain issues. Is there a building committee established when will the new building be built? Is there a timeframe?

TB -- history since I took office 2018. Started my term working with Senator Hines to include 1.2 M in the capital bond issue for design and study for the building. No appropriation tied to that. Also recognized the timing to address roof issues ad hock committee to do the first phase of work of answering the questions of North Adams future of public safety. Identified 3 or 4 potential sites. When funding is released we can move because we have done some work ourselves. Looking at several years. This project needs to happen. Will be talking about funding this ourselves.

WW - several years is an irrelevant term. We need something concrete to grant relief.

MC - within 400,000 of our ceiling.... The only way is going to be a dept exclusion vote. There have been attempts at an override. In addition we would need to proceed through state house milk program. It will take a number of years.

Mayor – we have done walk through and put everything on the table. The sally ports, two garage space could be outfitted as a public reception area. Would need to engage an architect, in addition to permitting.

SM-the roof in this area there is nothing left. It will leak for days and is saturated with water.

Mold issue in bunk room area. Removed all the ceiling in this area. And in other locations. Area was treated with a mold product. In bunk room have several buckets.

We can't provide them with a safe environment to work in. No issues with the e bargaining unit, they are supportive of building new building. In the meantime it is an emergency situation while being addressed. DPH did a study and happy with work done but came up with other areas to address.

Mayor – What you are hearing from Chief Moranti it's important. I now we need to provide access but am concerned for the people serving the community.

Police chief – our side is not as effected as fire side. Have buckets catching the rain. It is not safe to move prisoners through.

TB– as we talk about the things need to do to put in elevator and projects we would need to follow the dept. exclusion funding process and would constrain down the line the ability to raise funds.

WM- building inspector – heading in the direction of closing the building. Made patch after patch over the years. The roof membrane is open. Creating issues with mold.

DJ – have you checked the metal decking, what kind of system is it.

WM - we looked at that and in study design people looked at this point not imminent state of collapsing.

DJ - how far is the other facility for accessible people

Police – Adams police 8 miles down the road.....

Fire SM - patches push leaks further away.

DG – MAAB 6 the complaint letter visited by DOJ and required corrected plan.

MC - the city put under DOJ settlement agreement. Numerous projects throughout the city to get to compliance. Public safety building due to the cost the only real solution is to replace it. The only plan we have is to replace the building.

Attorney – GC –can you describe how much the city spent

MC - 1.3 million ADA issues.

DG – 351 is already allocated?

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Yes

DG – when will money for study be released?

TB– in state bond as a line item, a promissory note.

DG - is that the full design? What does it get you?

To schematic.

DG - you are years away. In the meantime you are committed to this?

Mayor – that is 72 hours old. We are willing to pursue. Can do that for about 100,000.

DG this will allow for people to come in and get services.

Yes

We will have to appropriate the 100,000

Describe public access services –

Fire SM – our administrative would be to allow permitting to go through inspection division at city hall.

Mayor – seeking to expand on line permitting

City hall is accessible.

Police – licensing are would make accommodations offsite, bring over to city hall

DG can info go on website.

HR - earliest date for completed building/

TB – 7 – 10 years

HR – all permitting done at city hall inspections office, fingerprinting at city hall. Any other services that people need?

JW - we get walk in complaints. Our plan Barea would rectify the situation. Talked about remote camera system.

DG - is it a safe haven

Fire - Yes baby but it is at grade.

HR – ADA transition plan

MC – we used DOJ plan as transition plan.

HR - important plan be sent to MOD. Some money becomes available.

AB – are you doing any of the work done through the band aid period?

GC - this was filled out by design professional. We were looking for variance from 3.3.2.

WW - that is the jurisdictional part. AAB 16 from Bradley architects a score card, how many rendered moot....

AB - around the budget crisis....does the building have sprinklers?

No

Fire – I would have to look at it

GC - why are the patches not working?

Fire – have to keep patching spend around 10,000 and just moves the leak.

GC- the alternative plan is not to cure all the deficiencies but to have one dedicated area where workers and public can come and it would be accessible. The services provide could be provided in accessible area.

JH – mass college of liberal arts. Need a PR thing. Getting the public awareness of the condition you could facilitate talking to people in college to do a PR video.

Mayor – when we went to city council to request funding we brought them through with press.

PM - would you consider including the local commission on disability?

Yes

JD - DOJ deficiencies, they have a specific timeframe. I am hesitant if DOJ is not on board with this....it has been 7 years. Have they given you correspondence on what is not fixed?

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MC - they lifted us from reporting requirements. Three items not addressed fully knew it was going to take time – website, Beaver Street sidewalks, we have letter saying lifting reporting requirements.

We can get you the letter.

RG - the toilet room is there a public toilet room

MC- I put the concept together. That would be part of the scope. Making bathroom behind all compliant.

WW – I am reluctant to give variances only because don't want it to be seen as we got out of that one. I propose to continue for a plan by an architect delineate all the changes proposing and a specific request for variances. Seems to be a time variance. We ask for progress reports. Is it helpful to have people threatening to close you if the work is not done, would that be helpful to get people together? We don't give more than a 5 year time variance. Then look at again in 5 years.

DG - Do roof project, time variance to get design and money released, at that point look to extend it.

for a plan under exhibit 2 and better identify what looking for relief and identify what can be done with in financial ability now, and then think about a time variance. And updates on funding, what it will cost and how being allocated

DG motioned allow the building department to issue a building permit and continue the request for 90 days (August 8, 2019) for the petitioner to come back with a plan done by a licensed professional to include bathroom and address other variances and what relief is specifically being asked for, and define public services to be put on website and signage so people know to go to city hall. HR seconded, passed unanimously.

AB Left for the day

Discussion of Executive Director Position Interview Questions

15. Curb Cut, 460 State Road, North Dartmouth, C18-026

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously continued. They are receiving their notices.

HR motioned to schedule a fine hearing. RG seconded, DJ abstained

HR motioned to email the owners. JH second, JD abstained.

16. Orinoco Restaurant, 56 JFK Street, Cambridge, V11-144

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents, amendment request.

Received an amendment request. Cambridge commission and BCIL request a continuation to do a site visit.

JD motioned to continue. DG seconded, passed unanimously.

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17. Commercial Office Purpose, 619 South Street, Fitchburg, V19-063
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Petitioner sent in an amendment.

JD motioned to continue for use of 2 ft level to give the proper slope. JH seconded, passed unanimously.

Asking for no access to the second floor.

JD motioned to allow the permits to be issued. RG seconded, passed unanimously.

JD motioned to continue for more information on potential tenants and potential accommodation policies. RG seconded, passed unanimously.

18. Existing Two-story Building, 20 Triangle Street, Amherst, V19-065
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Sent in their accommodation policy. JD read the policy into the record.

JD motioned to accept. JH seconded, passed unanimously.

19. Fay School, Camp Building, 48 Main Street, Southborough, V19-067
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
There is a distribution of group 2b units in both boys and girls dorms. Asking to not have 2a in another building. They are meeting count.

HR motioned to grant on the distribution of 2b units. JD seconded, passed unanimously.

20. Three Story Wood Frame, 87 Glades Road, Scituate, V19-073
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Proposes incline lift or stair climber.
JD recused himself.

PM motioned to take under advisement. JH seceded, JD abstained.

2:00 p.m. – Love Art Poke Restaurant, 40 Water Street, Boston V19-052 - Variance Hearing
Exhibit #1 Board Hearing Package AAB 1-29
Exhibit #2 Quote for lift
Exhibit #3 Updated estimate for ramp
Jessica Chiep (JC)

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Ronald Lu (RL)
Michael Muehe (MM)

The parties were sworn in by the board.

(All but AB)

JC-in reference to BCIL issue AAB 5, I am going to address some of their points.

WW - AAB 29 that is the vacant space, the picture shows a concrete slab goes up to where the doors are.

JC- that previously was a window. Would have to cut into the slab.

WW - then create new stairs shown in AAB 27. Are there issues in removing the concrete?

RL – enough space so it won't impact the foundation of the building.

WW- are they going to put a foundation wall?

RL – I think there is a reinforcement slab.

WW - would the ramp be concrete

JC - it would be concrete. We didn't get drawings for the ramp yet.

WW- when did you sign the lease?

RL – October or November.

WW - what would be the impact on the restaurant?

JC - AAB 27, 28 you can see space. In regards to the ramp, it would eat up a quarter of service and kitchen space.

RL - we cannot cut into the concrete there.

AAB 29 corner of entrance.

RL - I can request some paperwork. We had meetings with architect and engineers and they said there is no way.

WW - can you reconfigure the kitchen?

RL –AAB 27

JC - we need the amount of kitchen space.

WW - how many seats?

16

WW- is there seating along the area of Devonshire.

WW – this looks like they are concrete slabs and ramp will impede on kitchen. I know it is a long way from other entry do you see another way?

MM – I am confused because the burden is on the petitioner. It is not clear to me, they haven't provided structural information in writing. In my letter they did not articulate why they created this new entrance. Creating a new entrance it needs to be accessible. Let everyone use the lobby entrance. The key question is to create the new entrance will have to cut into the slab. Have not considered a platform lift. Lots of unanswered questions.

JC – We don't intend to discriminate. The entrance is not a dedicated entrance, we do provide two entrances, our second entrance is through the main lobby. It is the entrance into the building. Michael mentions there is a potential of the door being locked. The landlord is not doing any work. Fire alarms, electrical meter and.....

Looked in to lifts, got quote from contractor.

JC - in regards to the LULA lift.... Our unit is only 17" just shy of the range of the lift. Installing the lift would impede visibility into the store.

MM - I did not suggest a LULA, they provided zero information on a lift.

JC - in terms of the estimate I can revisit my contractor. In terms of the LULA lift AAB 6

JH – portable ramp. You could train your staff, you could investigate use of a portable ramp.

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WJ – the largest is 10 inches for a portable ramp, it is too high.
JC- excessive cost. Ramp is more of an option even though costly \$66,000 AAB24
After meeting with the landlord.....issues with the building. The space below the contractor came back with a higher estimate.

Cost for the ramp, delay, ramp into the space is around 700,000 in sales.
RL - we already tried to shrink our kitchen.
HR - let's say there wasn't a front door. What time frame could you open in?
RL – 8-12 weeks, 16 weeks.
HR – if you didn't do it would it allow more seating?
RL - not necessarily. It would be tight.
HR - how much money would you save by not doing the front entrance leaving it as is.
RL - \$ 780,000 – 800,000
HR – if you didn't make the opening you could be in business 3 or 4 months, have a few more seats.....
RL – not having a door would decrease our visibility.
JD – What are the hours, the lobby door are they different than the other doors.
RL - I don't have the lobby hours. With our own doors we can control the hours. Planning to stay open to 9 or 10 pm.
DG - is your lease an agreement that the door would go in.
R - there was a door and stairs when we did our tour.
MM- we have a situation tenant signing a lease with understanding there was a door, landlord replaced it with glass and said it is your problem now. Jessica testified they are doing 100% of the work. MM - the landlord has an obligation....there are multiple issues I think are the landlords issues. Why aren't we holding the landlord accountable?
WJ – cost of vertical wheel chair lift and if it would fit. Might be worth seeing cost estimate and fit.
RG – I would like to see a stamped plan with dimensions
RL – there were misprints when the contractor wrote out, AAB 25 when it says landlords will bring, our contractor is doing the work.
JD - with the new door it will be a walk through
RL - the lobby is the walk through.

JD motioned to take under advisement. DG seconded, passed unanimously.

MM – I would be disappointed if the board grant the variance but if so it is important the lobby has the same hours as the restaurant.

3:00 p.m. – Old North Church, 193 South Street, Boston V19-045- Variance Hearing
Exhibit #1 Board Hearing Package AAB 1-81
Nick Kozlowski (NK)
Stephen Ayres, Executive Director, Old North Church
Sinead Khan, Alkus Manfredi Architects
Ross Cameron, Elkus Manfredi Architects
Michael Muehe BCIL (MM)

The parties were sworn by the board.

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(All board but AB)

NK - The church is in national historic places. Proposed restorations are going to be done over the next years. Surveyed by colleagues.

SA - the church was built in 1723. Last restoration in 1912. We are a national landmark. Capital campaign. We have a 1930 assessment on the building. First this winter restoration of the crypt and provide access to crypt by ramp

Second piece is to enable visitors to go into the crypt. Future projects are to restore the church. Bring life safety systems. The final large project is to make campus accessible. Stairs on the middle of the campus we have designed a ramp to go around the garden. In conversations with the city to replace their part of the pavers. Projects will be in excess of 10 mill.

SK – AAB 38 this is the restoration of the crypt. Second item is page 21.

AAB21 will be removing some of the pews and replacing with wheelchair spaces and companion seating. AAB25 freedom trail ramp

DG – it looks like there is a gate will it be locked and closed.

SA - locked at night

NK – there are 20 variances happy to walk you through them.

JD –

#1

The pews could one towards the front could one fit a wheelchair to be more inclusive.

SA – we removed two pews, we can look at adding pew doors.

RC – another modification is the entry doors. We can look at mimicking

DG - can the back ones be used?

JD – would it be a motion to continue. What is the line of site?

SA - it is pretty good.

NK - you don't have any pew walls in front either.

HR – are there any better places for accessible seating.

RC - we picked the best locations trying to balance

JD motioned to grant #1. HR seconded

#2

JD motioned to grant on the condition niches be available in crypt for people who wish to purchase

SA - columbarium is a step down cannot be made accessible. We could look at an exterior column barium.

SA - we have a brochure to sell the niches. We can't physically get people in.

DG – is this part of the tour or are people visiting.

SA - the family members visit.

DG – will these get new finishes?

SA - technically infeasible to make accessible.

DG - can you put in better handrails?

NK - we are proposing them.

JD grant on condition look into other niches if accessible ones can be provided, a video.

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DJ seconded, passed unanimously.

MM - we applaud the improvements they are making. On the point of video we recommend they be captioned and an audio description.

#3 AAB 31

Accessible balcony

JD motioned to grant on condition of only used for overflow seating. DG seconded, passed

#4

JD motioned to grant. DG seconded, passed unanimously.

#5

JD motioned to grant as proposed. DJ seconded, passed unanimously.

#6

JD motioned to grant as proposed but asked the petitioner to consider putting items such as movable potted plant. DG seconded, passed unanimously.

SA – it is very limited use.

#7

JD motioned to grant as proposed. DG seconded, passed unanimously.

Grooves - NK – we did look to level out something in that stone slab.

Grooves - RC - there are materials we could fill in with again trying to balance historic nature.

JD how would it impact historic

Sa - it would not remain clear epoxy with all the people walking through.

#8JD motioned on condition of signage or some kind of indicator strip. DG seconded

NK - this is a new ramp to the crypt 9%

HR – if there could be staff training.

SA – we can train, people do not wander in.

DG – is that door used

SA - yes

NK – it is not a public door.

DG - what material is the ramp made of?

RC – we are anticipating a concrete ramp.

RG - is the doorway staff only. Employee only, not volunteers?

SA – Staff only, no volunteers

RG - depending on how often used, instead of interruptions of the handrails, interruptions could be difficult for someone, could it be removed.

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RC- we can look in to it a removable portion

#9

JD motioned to grant on the condition there are compliant handrails on both sides, and appropriate staff training. DJ seconded, passed unanimously.

#10

JD motioned to grant on the condition the running slope does not exceed the 4 – 5 % identified. RG second, motion passed.

#11 12 13

JD motioned to grant. JH seconded, passed unanimously.

#14

JD motioned to grant on condition it is used for overflow seating only. DG seconded, passed unanimously.

#15, 16

JD motioned to grant. DG seconded, passed unanimously.

#17

JD motioned to grant on the condition it is used for overflow seating only. DG seconded, passed unanimously.

#18, 19

JD motioned to Grant as proposed. JH seconded, passed unanimously.

#20

JD motioned no variance is required, and grant on the pew identify numbers. HR seconded, passed unanimously.

Revisit - Love Art Poke

JD left for the day

~~JH – Enable them to open, affidavit that the restaurant is only open the hours the building is open, come back with another plan to make the front door accessible~~

~~HR motined to deny the request. RG seconded, pm deny~~

~~JH abstained, DJ opposed, DG opposed~~

HR motioned to continue for a study of a vertical lift for the front door. DG seconded, passed unanimously.

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Revisit

Three Story Wood Frame, 87 Glades Road, Scituate, V19-073

JH motioned to grant on the condition of an incline lift that complies with 521 CMR. HR seconded, passed unanimously.

Advisory

21. Handrail Newel Posts, Jensen Hughes, A19-016

PM motioned that it doesn't comply and if any renovations are made, come before the board on a case by case basis. RG seconded, passed unanimously.

22. Grab Bar Location, Billings Hall, AAB Staff

Too much space on the other side of the grab bar. It is acceptable.

Savage Field, 36 Vale Street, Clinton, V17-295

Exhibit – Variance Application and associated documents

It was discussed to contact the Building Inspector to get the status of the installation of the lift.

Minutes

JH motioned to accept the 4/8/19 and the 4/22/19 Board meeting minutes DG seconded, RG abstained. Motion passed.

DJ left the meeting

Due to time restrictions the following cases will be presented at the May 20, 2019 meeting:

Westminster Court Apartments, 30-108 Westminster Ave, Roxbury, V18-213

Exhibit – Variance Application and associated documents

Commercial and Residential, 139 Pleasant Street, Marblehead, V18-298

Exhibit – Variance Application and associated documents

Community Living Center, Chelsea Soldier's Home, 100 Summit Ave., Chelsea, V18-342

Exhibit – Variance Application and associated documents

Salt Therapy Spa, 1372 Main Street, Palmer, V19-005

Exhibit – Variance Application and associated documents

Philip Anthony House, 14 South 6th Street, New Bedford, V19-019

Exhibit – Variance Application and associated documents

May 6, 2019

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Matters not reasonably anticipated 48 hours in advance of meeting.
Adjourn 5:00 p.m.

Exhibits

Everleigh Cape Cod, 265 Communication Way, Barnstable, V19-103
Exhibit – Variance Application and associated documents

Balfour River Walk Park, County St., Ten Mile River Pedestrian Path, Attleboro, V19-104
Exhibit – Variance Application and associated documents

Exhibit – Variance Application and associated documents
St. John's Episcopal Church, 48 Elm Street, Northampton, V19-105

Herc Equipment Rentals, 257 Boston Road, Billerica, V19-106
Exhibit – Variance Application and associated documents

Tannery Apartments, 15, 16, 18 Crowninshield, 50 Warren, Peabody, V19-107
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

Office Building, 5 Burlington Woods Drive, Burlington, V19-108
Exhibit – Variance Application and associated documents

Roosevelt Towers Apartments, 14 Roosevelt Towers, Cambridge, V19-110
Exhibit – Variance Application and associated documents

Three Family Building, 71-73 Ellington Street, Dorchester, V19-111
Exhibit – Variance Application and associated documents

Apartment Building, 141 Sea Street, Quincy, C17-060
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

Curb Cut, 460 State Road, North Dartmouth, C18-026
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

Orinoco Restaurant, 56 JFK Street, Cambridge, V11-144
Exhibit – Variance Application and associated documents

Taunton State Hospital Chambers, 60 Hodges Avenue, Taunton, V16-120
Exhibit – Variance Application and associated documents

Savage Field, 36 Vale Street, Clinton, V17-295
Exhibit – Variance Application and associated documents

Westminster Court Apartments, 30-108 Westminster Ave, Roxbury, V18-213
Exhibit – Variance Application and associated documents

Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327
Exhibit – Variance Application and associated documents

10 Story Building, 121-127 Portland Street, V19-004
Exhibit – Variance Application and associated documents

Commercial Office Purpose, 619 South Street, Fitchburg, V19-063
Exhibit – Variance Application and associated documents

Existing Two-story Building, 20 Triangle Street, Amherst, V19-065
Exhibit – Variance Application and associated documents

Fay School, Camp Building, 48 Main Street, Southborough, V19-067
Exhibit – Variance Application and associated documents

Three Story Wood Frame, 87 Glades Road, Scituate, V19-073
Exhibit – Variance Application and associated documents

Alta Xmbly, 290 Revolution Drive, Somerville, V19-085
Exhibit – Variance Application and associated documents

Handrail Newel Posts, Jensen Hughes, A19-016
Exhibit - Advisory Opinion

Grab Bar Location, Billings Hall, AAB Staff
Exhibit – Advisory Opinion

North Adams Safety Building, 40 American Legion Drive, North Adams, V19-036
Exhibit #1 Board Hearing Package AAB 1-107
Exhibit #2 – Proposed Plans

Love Art Poke Restaurant, 40 Water Street, Boston V19-052 - Variance Hearing
Exhibit #1 Board Hearing Package AAB 1-29
Exhibit #2 Quote for lift
Exhibit #3 Updated estimate for ramp

Old North Church, 193 South Street, Boston V19-045- Variance Hearing
Exhibit #1 Board Hearing Package AAB 1-81

May 6, 2019